

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 2, 4-8, and 10-21 are presently active in this case. The present Amendment amends Claims 2, 8, 15, 18, and 20-21; cancels Claim 1, 3 and 9 without prejudice or disclaimer.

The outstanding Office Action objected to the drawings under 37 C.F.R. § 1.83(a). Claims 15 and 18 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite. Claims 20-21 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 1-2, 6, 8 and 12 were rejected under 35 U.S.C. § 102(b) as anticipated by *Fujita et al.* (U.S. Patent No. 5,412,659, hereinafter "Fujita"). Claims 14 and 17 were allowed and Claims 3-5, 7, 9-11, 13, 16 and 19 were indicated as allowable if rewritten in independent form. Claims 15 and 18 were indicated as allowable if rewritten to overcome the rejection under 35 U.S.C. § 112, second paragraph.

First, Applicants wish to thank Examiner Wong for the courtesy of a telephone interview granted to Applicants' representative on April 11, 2007, at which time the outstanding issues regarding the drawings and the non-statutory subject matter were discussed.

Applicants acknowledge with appreciation the indication of allowable subject matter. In response, Claims 2 is amended to recite all the feature of allowable dependent Claim 3, and Claim 8 is amended to recite all the features of allowable dependent Claim 9. Claim is cancelled without prejudice or disclaimer.

In response to the objection to the drawings under 37 C.F.R. § 1.83(a), Applicants respectfully traverse the rejection and requests reconsideration thereof, as next discussed.

Applicants believe that the figures as originally filed do show all the elements of Claims 2 and 14. Applicants' FIG. 6 depicts a functional representation of the radio communication apparatus, including a central controller 67. At page 24, ll. 15-18 Applicants' specification recites "the radio communication apparatus further includes a central controller 67 for controlling a series of the above operations and sequentially carrying out processing in the wireless network." In addition, at page 32, ll. 11-13, it is explained that "[t]he operating procedure is actually carried out by the central controller 67 implementing a program code stored."

Applicants' operating procedure may include at least some of the steps shown in FIGS. 11 and 12. Regarding the elements of Claim 2, the beacon transmitting means may be represented by at least step S18 of FIG. 11, and may further be described at page 29, lines 21-25. The interference detecting means may be represented by at least steps S12 and S14 of FIG. 11, and may be described at page 30, ll. 9-16. The buffer frame period setting means may be represented by at least step S17 of FIG. 11, and may be described at page 29, ll. 21-26.

Regarding the elements of Claim 14, the beacon information receiving means may be represented by at least step S31 of FIG. 12. The beacon information detecting means may be represented by at least step S32 of FIG. 12, and may be described at page 32, ll. 20-25. The collision detection means may be represented by at least step S37, and may be described at page 33, ll. 10-18. The interference informing means may be represented by at least step S38 by FIG. 12, and may be described at page 33, ll. 16-20.

In light of the above discussion, Applicants respectfully submit that FIGS. 6 and 11-12 as originally filed do show all the elements of Claims 2 and 14, and therefore the objection under Rule § 1.83(a) is believed to be overcome.

In response to the rejection of Claims 15 and 18 under 35 U.S.C. § 112, second paragraph, Claims 15 and 18 are amended to recite "a predetermined time." This change finds non-limiting support in Applicants' disclosure as originally filed, for example at page 32, ll. 14-19. In view of amended Claims 15 and 18, it is believed that all pending claims are definite and no further rejection on that basis is anticipated. If, however, the Examiner disagrees, the Examiner is invited to telephone the undersigned.

In response to the rejection of Claims 20-21 under 35 U.S.C. § 101, the preambles of Claims 20-21 are amended to recite "[a] computer readable medium storing a computer program," as suggested by the outstanding Office Action. In addition, Claim 20 is amended to recite features regarding detecting the interference on the basis of beacon information. These features were originally introduced into dependent Claim 3, and the pending Office Action indicated that dependent Claim 3 was allowable. In addition, Claims 20-21 are amended to correct minor formalities. In light of the amendments to Claims 20-21, Applicants believe that the rejections are overcome, and therefore request reconsideration thereof.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that she telephone Applicants' representative at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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